

Lawrence Y. Holden, Jr.

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617-259-0530

Education:

*Dartmouth College, A.B., June 1961 (English Major); Member, Casque & Gauntlet (honorary society); Captain & All-Ivy (2nd Team) in soccer 1960; Member of 4-man team that captured Eastern Intercollegiate Athletic Conference Championship in tennis 1960

*Boston Univ. Law School, LL.B., cum laude 1966; Member, Board of Editors, Boston Univ. Law Review 1964-66

*Harvard Law School, LL.M. 1969

Military

Experience:

LT (j.g.) in United States Navy -- shipboard officer -- participated in Project Mercury (sea recovery of space capsules from 1st phase of man-on-the-moon project) and in naval blockade during Cuban Missile Crisis

Legal & Admin.

Experience:

*1966-68, Associate, Goodwin, Procter & Hoar in Boston where performed general legal work with some concentration in labor-management relations

*1969-70, Solicitor's Office, U.S. Department of Labor, Washington, D.C. where had responsibility for legislation, government contracts & mediation

*1970-72, Trial Attorney, Boston where tried both criminal and civil cases

*1972-75, Chairman, Massachusetts Board of Conciliation & Arbitration (1) where oversaw a staff of mediators and administrators; (2) where set the standards by which outside professionals could be listed for Agency work; and (3) where personally mediated or participated in the arbitral decision-making process as the impartial Chairman in more than 300 labor-management disputes

Arbitration

Experience:

*Labor-Management Disputes 1972-Present: * Have decided in excess of 2,000 labor-management disputes since 1972

*Extensive experience in airline, transit, telecommunication, manufacturing, construction, service & trade, publishing, and utility industries as well as local, state and federal governments

*Present or past panel member or umpire for, among others: U.S. Senate & employees; U.S. Foreign Service Griev. Board; Major League Baseball & Baseball Players; New England Telephone & CWA/IBEW; Gen. Motors & URW/IBEW/UAW; Gen. Elec. & IUE; Gen. Dynamics & Metal Trades Council/Marine Draftsmen; ATT & CWA/IBEW; US Postal Service & Postal Unions; Mass. Bay Transp. Auth. & Boston Carmen's Un.; United Airlines & AFA/ALPA; U.S. Air & ALPA; TWA & IFFA/ALPA; Eastern Airlines & ALPA; N.J. Bell Tel. & IBEW; US Customs Service & NTEU; Univ. of Mass. & Mass. Society of Professors; Northwest Airlines & IBT/ALPA; Illinois Bell Telephone & IBEW; Sweet Life Foods & IBT; Boston Harbor Project & Boston Construction Trades; FINAST & IBT; Northwest Airlines & ALPA; United Technologies & IUE; Portsmouth Naval Shipyard & IAFTE; DHL & ALPA

Complex Disputes 1972-Present: * Application of External Law to Collective Bargaining Agreements: I have been responsible on a continuing basis as the Umpire for the MBTA & Carmen's Union for attempting to reconcile provisions of the parties' collective bargaining agreement to a broad management rights statute passed by the Mass. Legislature in '80. In other instances I have been asked to consider the impact of the Internal Revenue Code (United Telephone Co. of N.J. & IBEW), of equal employment opportunity laws (TWA & IFFA), and of ERISA (federal pension law)(Plumbers & Steamfitters National & Local Pension Funds) on collective bargaining agreements.

* High Stakes Disputes: I have been asked to decide cases where the stakes for the parties ran into the millions of dollars (U.S. Air & ALPA); where I had to decide the appropriate unit for Union organizing in a regional company (New England Telephone & IBEW); where important issues had been deferred to arbitration by the NLRB (Public Service Company of Colorado & IBEW); and where there were jurisdictional disputes among competing organizations with respect to complex work processes (General Motors & UAW/IBEW/IAMAW). I have also been asked to decide complex interest disputes involving the terms and conditions for a new collective bargaining agreement in both the private and public sectors and sometimes the interplay between such agreements and external law (Springfield Newspaper/Union; Mass. Joint Labor-Management Committee for Police & Fire Disputes; School Disputes).

Mediation
Experience:

Labor-Management Disputes, 1972-Present: * As Chair of the Mass. Board of Conciliation & Arbitration I personally mediated various strikes involving vital State interests such as a threatened departure from the State (Savage Arms & IAMAW), major work stoppage (GE & IUE), strikes in violation of court orders (Foxboro School Committee & Teachers).

* As a mediator in private practice I have mediated major interest cases such as Tennessee Valley Authority & its salaried employees, Denver School Board & Denver Classroom Teachers Ass'n, and Public Service Company of Colorado & IBEW as well as grievances involving the application or interpretation of contract terms.

Civil Disputes, 1987-Present: * Appointed by the Chief Admin. Judge of the Mass. Superior Court and Mass. Office of Dispute Resolution (MODR) to mediate civil cases in the Trial Court System. I presently mediate civil cases at the rate of approximately one per month involving topics such as commercial contracts, torts, construction, creditor-debtor, corporate law, employment, real estate, insurance, and environmental law.

* Have trained members of the Massachusetts Bar selected by MODR to become qualified as mediators on court-annexed panels.

* Am one of 15 members of the Massachusetts Bar selected to serve on a special mediation panel with jurisdiction over environmental disputes within Massachusetts

Publications:

Case Comment, Administrative Law, 45 B.U.L. Rev. 572 (1965); National Emergency Disputes, The Considerations Behind a Legislative Proposal, 4 Ga. Law Rev. 673 (1970) (authored on behalf of Solicitor Silberman, U.S. Dep't of Labor); Final Offer Arbitration in Massachusetts, The Arbitration Journal 1976; The Clash over What is Bargainable in the Public Schools and its Consequences for the Arbitrator, Proceedings of the 31st Annual Meeting of the NAA p. 282 (BNA, Inc.); Portrait of a Process, Collective Negotiations in Public Employment, Grievance Arbitration

Advisory Work:

Massachusetts Governor's Commission on Labor-Management Relations; New York State Advisory Council on Interest Arbitration; Member of 4-person Evaluation Team for Pennsylvania Governor's Study Commission to evaluate, analyze and report on administration and operation of Pennsylvania's public employee labor laws

Affiliations:

Member, National Academy of Arbitrators; American Arbitration Association; Federal Mediation & Conciliation Service; National Mediation Board; Suffolk & Norfolk County Superior Court Mediation Panels; Mass. Office of Dispute Resolution Environmental Mediator Panel; Society of Professionals in Dispute Resolution; Massachusetts Joint Labor-Management Committee for Police-Fire Disputes; Principal, CasEnd ADR Services